

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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| THOMAS WILLIAM WOJNAROWSKI, |) | Case No. 3:19-cv-174 |
| |) | |
| |) | |
| Plaintiff, |) | JUDGE KIM R. GIBSON |
| |) | |
| v. |) | |
| |) | |
| JOHN E. WETZEL, <i>et al.</i> , |) | |
| |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM ORDER

This matter is before Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636 and Local Civil Rule 72.

The Magistrate Judge filed a Report and Recommendation on November 15, 2021 (ECF No. 130), recommending that Defendants Dr. Kansky Delisma ("Dr. Delisma") and Richard Hutchinson, PA-C's ("Mr. Hutchinson") Motion to Dismiss or in the Alternative for Summary Judgment (ECF No. 120) be granted in the form of summary judgment. (ECF No. 130 at 1).

Judge Lenihan notified the parties that, pursuant to 28 U.S.C. § 636(b)(1) and Rule 72.D.2 of the Local Rules of Court, they had fourteen days to file written objections to the Report and Recommendation. (*Id.* at 12). Plaintiff Thomas William Wojnarowski timely filed objections on January 27, 2022. (ECF No. 134-1). On February 7, 2022, Dr. Delisma and Mr. Hutchinson filed a Response to Wajnarowski's Objections. (ECF No. 136). I have reviewed Mr. Wojnarowski's objections and find them meritless.

Upon *de novo* review of the record in this matter, the Report and Recommendation, Mr. Wojnarowski's objections, and Dr. Delisma and Mr. Hutchinson's Response to those Objections, the following order is entered:

AND NOW, this 25th day of March, 2022, IT IS HEREBY ORDERED that Dr. Delisma and Mr. Hutchinson's Motion (ECF No. 120) is granted in the form of summary judgment. The Court adopts the Report and Recommendation as the opinion of this Court. Accordingly, Dr. Delisma and Mr. Hutchinson are dismissed from this case. The clerk shall terminate those two defendants.

BY THE COURT:



KIM R. GIBSON
UNITED STATES DISTRICT JUDGE

Notice to by U.S. Mail to:

Thomas William Wojnarowski
HJ 5106
SCI Fayette
50 Overlook Drive
LaBelle, PA 15450